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| EXAMINER | |
|---|---|
| MURRAY, DANIEL C | |
| **ART UNIT** | **PAPER NUMBER** |
| 2109 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/609,186 | MARCJAN, CEZARY | |
| | Examiner | Art Unit | |
| | Daniel Murray | 2109 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *26JUN2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26JUN2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10JUN2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The disclosure is objected to because of the following informalities:

a) On page 1 title, replace "C mputer" with—Computer--.

b) On page 1 paragraph [0001] line 4, delete "the" before "object".

c) On page 3 paragraph [0009] line 6, replace "s[pace" with—space--.

d) On page 6 paragraph [0027] lines 1-7, block of text lacks clarity, revision of punctuation and/or text is necessary.

e) On page 9 Table 1B, column headings missing letters e.g. C nstructs, C llecting, etc.

f) On page 10-11 paragraph [0032] lines 1-5, block of text lacks clarity, revision of text is necessary.

g) On page 11 paragraph [0032] line 9, delete "and in" before "one".

h) On page 11 paragraph [0033] line 9, replace "1243" after "notifications" with --124--. For the purposes of examination this reference number will be interpreted as 124.

i) On page 13 paragraph [0038] line 11, consider replacing "to-" and "from-" before "fields" with—"to"—and—"from"--.

j) On page 15 paragraph [0044] line 6, replace "Messageto" before "association" with "MessageTo"--.

k) On page 15 paragraph [0044] line 9, replace " 'email attachment from a person' " before "association" with—"email attachment from a person"--.

l) On page 20 paragraph [0063] line 1, block of text lacks clarity, revision of text is necessary.

m) On page 25 Table 3, replace "Ass ciation" with—Association--.

n) On page 26 Table 3, replace "Ass ciation" with—Association—and "Tabl " with—Table--.

The specification should be revised carefully. Appropriate correction is required.

### *Claim Objections*

3. **Claim** 8 is objected to because of the following informalities:

**a)** On **line 2** of **claim 8,** lacks clarity, consider replacing "accessibility" with—accessible--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1, 2, 5-8, 10, 11, and 14** are rejected under 35 U.S.C. 102(b) as being anticipated by **Batty et al. (US Patent # US 6,223,212, B1).**

a) Consider **claims 1 and 10,** Batty et al. clearly show and disclose, a method and software for a context association system for forming context associations between first and second objects that are stored in computer memory and are associated with each other based on user computer interactions (column 1 lines 61-67, column 2 lines 1), a method of sharing computer objects, comprising: storing association information relating to one or more associations (inherent from the teachings of Batty et al. since upon storing and sharing the object its associations would also have to

be stored)(column 1 lines 42-67, column 2 lines 1-4) between a selected object in a first computer space and one or more first objects in the first computer space; sharing the selected object (figure 1, figure 6, abstract, column 1 lines 14-17, column 2 lines 42-44, column 3 lines 52-62 ) from the first computer space with a second computer space, the second computer space including at least one of the first objects; and automatically sharing from the first computer space with the second computer space the one or more associations (column 1 lines 6-67, column 2 lines 1-4) in the first computer space between the selected object and the at least one first object in the second computer space.

b) Consider **claims 2 and 11**, and **as applied to claims 1 and 10 above,** Batty et al. clearly show and disclose storing in the first computer space association information relating to an association between the selected object and the second computer space (column 2 lines 59-61); and determining whether the association between the selected object and the second computer space is of an extent greater than a predetermined threshold (figure 2, column 2 lines 45-56, column 4 lines 8-18); wherein the selected object is shared from the first computer space with the second computer space upon a determination that the association between the selected object and the second computer space is of an extent greater than the predetermined threshold (column 2 lines 56-61).

c) Consider **claims 5 and 14,** and **as applied to claims 1 and 10 above,** Batty et al. clearly show and disclose at least one of the one or more associations is unidirectional (figure 1, column 3 lines 66-67, column 4 lines 1-3 lines 33-40, column 5 lines 21-23) between the selected object the one of the first objects.

d) Consider **claim 6,** and **as applied to claim 1 above,** Batty et al. clearly show and disclose the selected object and the first objects include computer files (abstract, column 1 lines 14-17 lines 42-51).

e) Consider **claim 7,** and **as applied to claim 1 above,** Batty et al. clearly show and disclose at least one of the first and second computer spaces corresponds to a computer memory store (inherent from the teachings if Batty et al. since a memory would be required to store the newspaper as a word processing document)(column 1 lines 42-51).

f) Consider **claim 8,** and **as applied to claim 1 above,** Batty et al. clearly show and disclose at least one of the first and second computer spaces corresponds to an accessibility space of computer objects (column 1 lines 35-55) that are accessible by a user.

## *Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. **Claims 3 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Batty et al. (US Patent # US 6,223,212, B1)** in view of **Kenyon et al. (US Patent # US 6,792,430 B1).**

a) Consider **claim 3 and 12,** and **as applied to claim 1 and 10 above,** Batty et al. clearly shows and discloses the claimed invention except one or more associations between the selected object in the first computer space and the one or more first objects in the first computer space include an indirect association between the selected object and a particular first object, the indirect association including a direct association between the selected object and an intervening first object and a direct association between the intervening first object and the particular first object.

In the same field of endeavor, Kenyon et al. clearly show and disclose a method of linking information object of an information space. (inherent from the teachings of Kenyon et al. since overlays are created which include concepts described by keywords and linked to objects which may in turn be linked to other concepts through similar association, thus it is possible for objects to be linked bother directly and indirectly through their associations)(abstract, column 1 lines 46-49 lines 62-65, column 2 lines 52-54 lines 60-67, column 3 lines 1-10 lines 21-24, column 7 lines 4-24).

Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kenyon et al. into the teachings of Batty et al. in order to establish direct and indirect links between objects bases on associations. Such a feature would have made the overall system of Batty et al. more efficient by allowing users to indirectly link object based on direct links through an intervening object.

9. **Claims 4 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Batty et al. (US Patent # US 6,223,212, B1)** in view of **Kenyon et al. (US Patent # US 6,792,430 B1)** as applied to **claims 3 and 12** above, and further in view **of Hatori (US Patent Publication # US 2003/00221122 A1).**

b) Consider **claim 4 and 13,** and **as applied to claim 3 and 12 above,** Batty et al. as modified by Kenyon et al. clearly shows and discloses the claimed invention except automatically sharing from the first computer space with the second computer space the intervening first object, together with the direct association between the selected object and the intervening first object and the direct association between the intervening first object and the particular first object.

In the same field of endeavor, Hatori clearly shows and discloses a file sharing service (abstract, paragraph [0010]) that allows downloading files (paragraph [0053] paragraph [0054]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Hatori into the teachings of Batty et al. and Kenyon et al. for the purpose of sharing the intervening object together with the direct association between the first object and the particular object. Such a feature would have made the system of Batty et al. more efficient by not only sharing the indirect association between the first object and particular object but also sharing the intervening object and the direct associations between the first object and particular object that cause the indirect association to be made.

**10. Claims 9, and 15-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Batty et al. (US Patent # US 6,223,212, B1)** in view of Hatori **(US Patent Publication # US 2003/00221122 A1).**

c) Consider **claim 9,** and **as applied to claim 1 above,** Batty et al. clearly show and disclose sharing application programs and their associations between multiple computer systems (figure 1, figure 6, abstract, column 1 lines 14-17, column 2 lines 42-44, column 3 lines 52-62). However Batty et al. does not specifically disclose that sharing includes copying the selected object from the first computer space to the second computer space.

In the same field of endeavor, Hatori clearly shows and discloses a file sharing service (abstract, paragraph [0010]) that allows downloading files based on security information (paragraph [0054]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Hatori into the teachings of Batty et al. for the purpose of copying the selected object from the first computer space to the second computer space. Such a feature would have made the overall system of Batty et al. more efficient by allowing the user to share the actual file as well as the application output with other users.

d) Consider **claim 15-17 and 19-21,** Batty et al. clearly show and disclose, a context association system for forming context associations between first and second objects that are stored in computer memory and are associated with each other based on user computer interactions (column 1 lines 61-67, column 2 lines 1), a method and computer object sharing computer software in computer readable media, comprising: software for storing association information relating to one or more associations (inherent from the teachings of Batty et al. since upon storing and sharing the object its associations would also have to be stored)(column 1 lines 42-67, column 2 lines 1-4) between a selected object in a first computer space and a second computer space; software for initiating sharing of the selected object (figure 1, figure 6, abstract, column 1 lines 14-17, column 2 lines 42-44, column 3 lines 52-62 ) from the first computer space with the second computer space; software for determining whether the association of the selected object with the second computer space is of an extent greater than a predetermined threshold(figure 2, column 2 lines 45-56, column 4 lines 8-18); sharing the selected object from the first computer space with the second computer space if the association of the selected object with the second computer space is of an extent greater

than the predetermined threshold (column 2 lines 56-61) and automatically sharing from the first computer space with the second computer space an association (column 1 lines 6-67, column 2 lines 1-4) in the first computer space between the selected object and a first object that is in both the first computer space and the second computer space.

However, Batty et al. does not specifically disclose interfering with the sharing of the selected object with the second computer space if the association of the selected object with the second computer space is not of an extent greater than the predetermined threshold.

In the same field of endeavor, Hatori clearly shows and discloses a file sharing service in which the sharing of files is terminated/disabled bases upon a predetermined security level. (abstract, paragraph [0010] lines 1-7 lines 13-17, paragraph [0012], paragraph [0013], paragraph [0021])

Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Hatori into the teachings of Batty et al. in order to interfere with the sharing of a selected object based on a predetermined threshold for security reasons (paragraph [0021]). Such a feature would have made the overall system of Batty et al. more secure by limiting access based on a predetermined threshold.

e) Consider **claim 18,** and **as applied to claim 17 above,** Batty et al. as modified by Hatori clearly show and disclose association is unidirectional (figure 1, column 3 lines 66-67, column 4 lines 1-3 lines 33-40, column 5 lines 21-23) between the selected object the first object.

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Reed et al. (US Patent # 6,792,430) disclose: "Computer-Based Communication System and Method Using Metadata Defining a Control Structure"
- Ha et al. (US Patent # 5,721,911) disclose: "Mechanism for Metadata for an Information Catalog System"
- Yu, Allen (US Publication # US 2004/0205118 A1) discloses: "Method and System for Generalized Localization of Electronic Documents"
- Changanti et al. (US Patent # US 6,845,448 B1) disclose: "Online Repository for Personal Information"
- Franham et al. (US Publication # US 2003/0158855 A1) disclose: "Computer Architecture for Automatic Context Associations"
- Turski et al. (US Publication # US 2004/0255301 A1) disclose: "Context Association Schema for Computer System Architecture"
- Marcjan et al. (US Publication # US 2004/0254938 A1) disclose: "Computer Searching with Associations"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Murray whose telephone number is (571)-270-1773. The examiner can normally be reached on Monday - Friday 0800-1700 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571)-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCM

RAFAEL PEREZ-GUTIERREZ
SUPERVISORY PATENT EXAMINER
2/15/07